

108TH CONGRESS
1ST SESSION

H. R. 3087

To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2003

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Resources, the Budget, Ways and Means, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Surface Transpor-
5 tation Extension Act of 2003”.

1 **SEC. 2. ADVANCES.**

2 (a) IN GENERAL.—The Secretary of Transportation
3 shall apportion funds made available under section
4 1101(c) of the Transportation Equity Act for the 21st
5 Century (112 Stat. 116), as amended by this Act, to each
6 State in the ratio that—

7 (1) the State’s total fiscal year 2003 obligation
8 authority for funds apportioned for the Federal-aid
9 highway program; bears to

10 (2) all States’ total fiscal year 2003 obligation
11 authority for funds apportioned for the Federal-aid
12 highway program.

13 (b) PROGRAMMATIC DISTRIBUTIONS.—

14 (1) PROGRAMS.—Of the funds to be appor-
15 tioned to each State under subsection (a), the Sec-
16 retary shall ensure that the State is apportioned an
17 amount of the funds, determined under paragraph
18 (2), for the Interstate maintenance program, the
19 National Highway System program, the bridge pro-
20 gram, the surface transportation program, the con-
21 gestion mitigation and air quality improvement pro-
22 gram, the recreational trails program, the Appa-
23 lachian development highway system program, and
24 the minimum guarantee.

25 (2) IN GENERAL.—The amount that each State
26 shall be apportioned under this subsection for each

1 item referred to in paragraph (1) shall be deter-
2 mined by multiplying—

3 (A) the amount apportioned to the State
4 under subsection (a); by

5 (B) the ratio that—

6 (i) the amount of funds apportioned
7 for the item to the State for fiscal year
8 2003; bears to

9 (ii) the total of the amount of funds
10 apportioned for the items to the State for
11 fiscal year 2003.

12 (3) ADMINISTRATION OF FUNDS.—Funds au-
13 thorized by the amendment made under subsection
14 (d) shall be administered as if the funds had been
15 apportioned, allocated, deducted, or set aside, as the
16 case may be, under title 23, United States Code; ex-
17 cept that the deductions and set-asides in the fol-
18 lowing sections of such title shall not apply to such
19 funds: sections 104(a)(1)(A), 104(a)(1)(B),
20 104(b)(1)(A), 104(d)(1), 104(d)(2), 104(f)(1),
21 104(h)(1), 118(c)(1), 140(b), 140(c), and 144(g)(1).

22 (4) SPECIAL RULES FOR MINIMUM GUAR-
23 ANTEE.—In carrying out the minimum guarantee
24 under section 105(c) of title 23, United States Code,
25 with funds apportioned under this section for the

1 minimum guarantee, the \$2,800,000,000 set forth in
 2 paragraph (1) of such section 105(c) shall be treated
 3 as being \$1,166,666,667 and the aggregate of
 4 amounts apportioned to the States under this sec-
 5 tion for the minimum guarantee shall be treated, for
 6 purposes of such section 105(c), as amounts made
 7 available under section 105 of such title.

8 (5) EXTENSION OF OFF-SYSTEM BRIDGE SET-
 9 ASIDE.—Section 144(g)(3) of title 23, United States
 10 Code, is amended by inserting after “2003” the fol-
 11 lowing: “and in the period of October 1, 2003,
 12 through February 29, 2004,”.

13 (c) REPAYMENT FROM FUTURE APPORTION-
 14 MENTS.—

15 (1) IN GENERAL.—The Secretary shall reduce
 16 the amount that would be apportioned, but for this
 17 section, to a State for programs under chapter 1 of
 18 title 23, United States Code, for fiscal year 2004,
 19 under a law reauthorizing the Federal-aid highway
 20 program enacted after the date of enactment of this
 21 Act by the amount that is apportioned to each State
 22 under subsection (a) and section 5(c) for each such
 23 program.

24 (2) PROGRAM CATEGORY RECONCILIATION.—
 25 The Secretary may establish procedures under which

1 funds apportioned under subsection (a) for a pro-
2 gram category for which funds are not authorized
3 under a law described in paragraph (1) may be re-
4 stored to the Federal-aid highway program.

5 (d) AUTHORIZATION OF CONTRACT AUTHORITY.—
6 Section 1101 of the Transportation Equity Act for the
7 21st Century (112 Stat. 111–115) is amended by adding
8 at the end the following:

9 “(c) ADVANCE AUTHORIZATION.—

10 “(1) IN GENERAL.—There shall be available
11 from the Highway Trust Fund (other than the Mass
12 Transit Account) to carry out section 2(a) of the
13 Surface Transportation Extension Act of 2003
14 \$13,483,458,333 for the period of October 1, 2003,
15 through February 29, 2004.

16 “(2) SPECIAL RULE.—Funds apportioned under
17 section 2(a) of the Surface Transportation Exten-
18 sion Act of 2003 shall be subject to a limitation on
19 obligations for Federal-aid highways and highway
20 safety construction programs.

21 “(3) CONTRACT AUTHORITY.—Funds made
22 available by this subsection shall be available for ob-
23 ligation in the same manner as if such funds were
24 apportioned under chapter 1 of title 23, United
25 States Code.”.

1 (e) LIMITATION ON OBLIGATIONS.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 for the period of October 1, 2003, through February
4 29, 2004, the Secretary shall allocate to each State
5 for programs funded under this section and section
6 5(c) an amount of obligation authority made avail-
7 able under an Act making appropriations for the De-
8 partment of Transportation for fiscal year 2004 that
9 is—

10 (A) equal to the greater of—

11 (i) the State's unobligated balance, as
12 of October 1, 2003, of Federal-aid highway
13 apportionments subject to any limitation
14 on obligations; except that unobligated bal-
15 ances of contract authority from minimum
16 guarantee and Appalachian development
17 highway system apportionments for which
18 obligation authority was made available
19 until used shall not be included for pur-
20 poses of calculating a State's unobligated
21 balance of apportionments for this clause;
22 or

23 (ii) $\frac{5}{12}$ of the State's total fiscal year
24 2003 obligation authority for funds appor-

1 tioned for the Federal-aid highway pro-
2 gram; but

3 (B) not greater than 75 percent of the
4 State's total fiscal year 2003 obligation author-
5 ity for funds apportioned for the Federal-aid
6 highway program.

7 (2) LIMITATION ON AMOUNT.—The total of all
8 allocations under paragraph (1) and allocations, for
9 programs funded under sections 4, 5 (other than
10 subsection (c)), and 6(a) of this Act, of obligation
11 authority made available under an Act making ap-
12 propriations for the Department of Transportation
13 for fiscal year 2004 shall not exceed
14 \$14,101,250,000; except that this limitation shall
15 not apply to \$226,250,000 in obligations for min-
16 imum guarantee for the period of October 1, 2003,
17 through February 29, 2004.

18 (3) TIME PERIOD FOR OBLIGATIONS OF
19 FUNDS.—

20 (A) IN GENERAL.—Except as provided in
21 subparagraph (B), a State shall not obligate
22 any funds for any Federal-aid highway program
23 project after February 29, 2004, until the ear-
24 lier of the date of enactment of a multiyear law

1 reauthorizing the Federal-aid highway program
2 or June 30, 2004.

3 (B) REOBLIGATION.—Subparagraph (A)
4 shall not preclude the reobligation of previously
5 obligated funds.

6 (C) DISTRIBUTION OF REMAINING OBLIGA-
7 TION AUTHORITY.—On the earlier of the date
8 of enactment of a law described in subpara-
9 graph (A) or June 1, 2004, the Secretary shall
10 distribute to each State any remaining amounts
11 of obligation authority for Federal-aid highways
12 and highway safety construction programs by
13 allocation as provided in an Act making appro-
14 priations for the Department of Transportation
15 for fiscal year 2004.

16 (D) CONTRACT AUTHORITY.—No contract
17 authority made available to the States prior to
18 June 30, 2004, shall be obligated after that
19 date until such time as a multiyear law reau-
20 thorizing the Federal-aid highway program has
21 been enacted.

22 (4) TREATMENT OF OBLIGATIONS.—Any obliga-
23 tion of an allocation of obligation authority made
24 under this subsection shall be considered to be an
25 obligation for Federal-aid highways and highway

1 safety construction programs for fiscal year 2004 for
 2 the purposes of the matter under the heading
 3 “(LIMITATION ON OBLIGATIONS)” under the
 4 heading “FEDERAL-AID HIGHWAYS” in an Act
 5 making appropriations for the Department of Trans-
 6 portation for fiscal year 2004.

7 **SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.**

8 (a) IN GENERAL.—In addition to any other authority
 9 of a State to transfer funds, for fiscal year 2004, a State
 10 may transfer any funds apportioned to the State for any
 11 program under section 104(b) (including amounts appor-
 12 tioned under section 104(b)(3) or set aside, made avail-
 13 able, or suballocated under section 133(d)) or section 144
 14 of title 23, United States Code, before, on, or after the
 15 date of enactment of this Act, that are subject to any limi-
 16 tation on obligations, and that are not obligated, to any
 17 other of those programs.

18 (b) TREATMENT OF TRANSFERRED FUNDS.—Any
 19 funds transferred to another program under subsection (a)
 20 shall be subject to the provisions of the program to which
 21 the funds are transferred, except that funds transferred
 22 to a program under section 133 (other than subsections
 23 (d)(1) and (d)(2)) of title 23, United States Code, shall
 24 not be subject to section 133(d) of that title.

25 (c) RESTORATION OF APPORTIONMENTS.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of a law reauthorizing the
3 Federal-aid highway program enacted after the date
4 of enactment of this Act, the Secretary of Transpor-
5 tation shall restore any funds that a State trans-
6 ferred under subsection (a) for any project not eligi-
7 ble for the funds but for this section to the program
8 category from which the funds were transferred.

9 (2) PROGRAM CATEGORY RECONCILIATION.—
10 The Secretary may establish procedures under which
11 funds transferred under subsection (a) from a pro-
12 gram category for which funds are not authorized
13 may be restored to the Federal-aid highway pro-
14 gram.

15 (3) LIMITATION ON STATUTORY CONSTRUC-
16 TION.—No provision of law, except a statute enacted
17 after the date of enactment of this Act that ex-
18 pressly limits the application of this subsection, shall
19 impair the authority of the Secretary to restore
20 funds pursuant to this subsection.

21 (d) GUIDANCE.—The Secretary may issue guidance
22 for use in carrying out this section.

23 **SEC. 4. ADMINISTRATIVE EXPENSES.**

24 (a) AUTHORIZATION OF CONTRACT AUTHORITY.—
25 There shall be available from the Highway Trust Fund

1 (other than the Mass Transit Account) for administrative
 2 expenses of the Federal-aid highway program
 3 \$187,500,000 for fiscal year 2004 .

4 (b) CONTRACT AUTHORITY.—Funds made available
 5 by this section shall be available for obligation in the same
 6 manner as if such funds were apportioned under chapter
 7 1 of title 23, United States Code, and shall be subject
 8 to a limitation on obligations for Federal-aid highways and
 9 highway safety construction programs; except that such
 10 funds shall remain available until expended.

11 **SEC. 5. OTHER FEDERAL-AID HIGHWAY PROGRAMS.**

12 (a) AUTHORIZATION OF APPROPRIATIONS UNDER
 13 TITLE I OF TEA21.—

14 (1) FEDERAL LANDS HIGHWAYS.—

15 (A) INDIAN RESERVATION ROADS.—Sec-
 16 tion 1101(a)(8)(A) of the Transportation Eq-
 17 uity Act for the 21st Century (112 Stat. 112)
 18 is amended—

19 (i) by inserting before the period at
 20 the end the following: “and \$114,583,333
 21 for the period of October 1, 2003, through
 22 February 29, 2004”; and

23 (ii) by adding at the end the fol-
 24 lowing: “The minimum amount made
 25 available for such period that the Sec-

1 retary, in cooperation with the Secretary of
2 the Interior, shall reserve for Indian res-
3 ervation road bridges under section
4 202(d)(4) of title 23, United States Code,
5 shall be \$5,416,667 instead of
6 \$13,000,000.”.

7 (B) PUBLIC LANDS HIGHWAYS.—Section
8 1101(a)(8)(B) of such Act (112 Stat. 112) is
9 amended by inserting before the period at the
10 end the following: “and \$102,500,000 for the
11 period of October 1, 2003, through February
12 29, 2004”.

13 (C) PARK ROADS AND PARKWAYS.—Sec-
14 tion 1101(a)(8)(C) of such Act (112 Stat. 112)
15 is amended by inserting before the period at the
16 end the following: “and \$68,750,000 for the pe-
17 riod of October 1, 2003, through February 29,
18 2004”.

19 (D) REFUGE ROADS.—Section
20 1101(a)(8)(D) of such Act (112 Stat. 112) is
21 amended by inserting before the period at the
22 end the following: “and \$8,333,333 for the pe-
23 riod of October 1, 2003, through February 29,
24 2004”.

1 (2) NATIONAL CORRIDOR PLANNING AND DE-
2 VELOPMENT AND COORDINATED BORDER INFRA-
3 STRUCTURE PROGRAMS.—Section 1101(a)(9) of such
4 Act (112 Stat. 112) is amended by inserting before
5 the period at the end the following: “and
6 \$58,333,333 for the period of October 1, 2003,
7 through February 29, 2004”.

8 (3) CONSTRUCTION OF FERRY BOATS AND
9 FERRY TERMINAL FACILITIES.—

10 (A) IN GENERAL.—Section 1101(a)(10) of
11 such Act (112 Stat. 113) is amended by insert-
12 ing before the period at the end the following:
13 “and \$15,833,333 for the period of October 1,
14 2003, through February 29, 2004”.

15 (B) SET ASIDE FOR ALASKA, NEW JERSEY,
16 AND WASHINGTON.—To carry out section 1064
17 of the Intermodal Surface Transportation Effi-
18 ciency Act of 1991 (23 U.S.C. 129 note; 105
19 Stat. 2005; 112 Stat. 185), of funds made
20 available by the amendment made by subpara-
21 graph (A)—

22 (i) \$4,166,667 shall be available for
23 section 1064(d)(2);

24 (ii) \$2,083,333 shall be available for
25 section 1064(d)(3); and

1 (iii) \$2,083,333 shall be available for
2 section 1064(d)(4).

3 (4) NATIONAL SCENIC BYWAYS PROGRAM.—
4 Section 1101(a)(11) of the Transportation Equity
5 Act for the 21st Century (112 Stat. 113) is amend-
6 ed—

7 (A) by striking “and” the last place it ap-
8 pears; and

9 (B) by inserting before the period at the
10 end the following: “, and \$11,458,333 for the
11 period of October 1, 2003, through February
12 29, 2004”.

13 (5) VALUE PRICING PILOT PROGRAM.—Section
14 1101(a)(12) of such Act (112 Stat. 113) is amend-
15 ed—

16 (A) by striking “and”; and

17 (B) by inserting before the period at the
18 end the following: “, and \$4,583,333 for the pe-
19 riod of October 1, 2003, through February 29,
20 2004”.

21 (6) HIGHWAY USE TAX EVASION PROJECTS.—
22 Section 1101(a)(14) of such Act (112 Stat. 113) is
23 amended by inserting before the period at the end
24 the following: “and \$2,083,333 for the period of Oc-
25 tober 1, 2003, through February 29, 2004”.

1 (7) COMMONWEALTH OF PUERTO RICO HIGH-
2 WAY PROGRAM.—

3 (A) IN GENERAL.—Section 1101(a)(15) of
4 such Act (112 Stat. 113) is amended by insert-
5 ing before the period at the end the following:
6 “and \$45,833,333 for the period of October 1,
7 2003, through February 29, 2004”.

8 (B) CONFORMING AMENDMENT.—Section
9 1214(r) of such Act (112 Stat. 209) is amended
10 by striking “2003” and inserting “2004”.

11 (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of
12 such Act (23 U.S.C. 402 note; 112 Stat. 196; 112
13 Stat. 840) is amended by inserting before the period
14 at the end the following: “and \$208,333 for the pe-
15 riod of October 1, 2003, through February 29,
16 2004”.

17 (9) TRANSPORTATION AND COMMUNITY AND
18 SYSTEM PRESERVATION PILOT PROGRAM.—Section
19 1221(e)(1) of such Act (23 U.S.C. 101 note; 112
20 Stat. 223) is amended by inserting before the period
21 at the end the following: “and \$10,416,667 for the
22 period of October 1, 2003, through February 29,
23 2004”.

1 (10) TRANSPORTATION INFRASTRUCTURE FI-
 2 NANCE AND INNOVATION.—Section 188 of title 23,
 3 United States Code, is amended—

4 (A) in subsection (a)(1)—

5 (i) by striking “and” at the end of
 6 subparagraph (D);

7 (ii) by striking the period at the end
 8 of subparagraph (E) and inserting “;
 9 and”; and

10 (iii) by adding at the end the fol-
 11 lowing:

12 “(F) \$58,333,333 for the period of Octo-
 13 ber 1, 2003, through February 29, 2004.”;

14 (B) in subsection (a)(2) by inserting after
 15 “2003” the following: “and \$833,333 for the
 16 period of October 1, 2003, through February
 17 29, 2004”; and

18 (C) in subsection (c)—

19 (i) by striking “2003” and inserting
 20 “2004”; and

21 (ii) by striking the period at the end
 22 of the table and inserting the following:

“2004\$1,083,333,333 .”.

23 (b) AUTHORIZATION OF APPROPRIATIONS UNDER
 24 TITLE V OF TEA21.—

1 (1) SURFACE TRANSPORTATION RESEARCH.—
2 Section 5001(a)(1) of the Transportation Equity Act
3 for the 21st Century (112 Stat. 419) is amended—

4 (A) by striking “2002, and” and inserting
5 “2002,”; and

6 (B) by inserting after “2003” the fol-
7 lowing: “, and \$43,750,000 for the period of
8 October 1, 2003, through February 29, 2004”.

9 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—
10 Section 5001(a)(2) of such Act (112 Stat. 419) is
11 amended—

12 (A) by striking “2002, and” and inserting
13 “2002,”; and

14 (B) by inserting after “2003” the fol-
15 lowing: “, and \$22,916,667 for the period of
16 October 1, 2003, through February 29, 2004”.

17 (3) TRAINING AND EDUCATION.—Section
18 5001(a)(3) of such Act (112 Stat. 420) is amend-
19 ed—

20 (A) by striking “2002, and” and inserting
21 “2002,”; and

22 (B) by inserting after “2003” the fol-
23 lowing: “, and \$8,750,000 for the period of Oc-
24 tober 1, 2003, through February 29, 2004”.

1 (4) BUREAU OF TRANSPORTATION STATIS-
2 TICS.—Section 5001(a)(4) of such Act (112 Stat.
3 420) is amended by inserting before the period at
4 the end the following: “, and \$12,916,667 for the
5 period of October 1, 2003, through February 29,
6 2004”.

7 (5) ITS STANDARDS, RESEARCH, OPERATIONAL
8 TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of
9 such Act (112 Stat. 420) is amended—

10 (A) by striking “2002, and” and inserting
11 “2002,”; and

12 (B) by inserting after “2003” the fol-
13 lowing: “, and \$47,916,667 for the period of
14 October 1, 2003, through February 29, 2004”.

15 (6) ITS DEPLOYMENT.—Section 5001(a)(6) of
16 such Act (112 Stat. 420) is amended—

17 (A) by striking “2002, and” and inserting
18 “2002,”; and

19 (B) by inserting after “2003” the fol-
20 lowing: “, and \$51,666,667 for the period of
21 October 1, 2003, through February 29, 2004”.

22 (7) UNIVERSITY TRANSPORTATION RE-
23 SEARCH.—Section 5001(a)(7) of such Act (112 Stat.
24 420) is amended—

1 (A) by striking “2002, and” and inserting
2 “2002,”; and

3 (B) by inserting after “2003” the fol-
4 lowing: “, and \$11,250,000 for the period of
5 October 1, 2003, through February 29, 2004”.

6 (c) METROPOLITAN PLANNING.—

7 (1) AUTHORIZATION OF CONTRACT AUTHOR-
8 ITY.—There shall be available from the Highway
9 Trust Fund (other than the Mass Transit Account)
10 to carry out section 134 of title 23, United States
11 Code, \$100,000,000 for the period of October 1,
12 2003, through February 29, 2004.

13 (2) DISTRIBUTION OF FUNDS.—The Secretary
14 shall distribute funds made available by this sub-
15 section to the States in accordance with section
16 104(f)(2) of title 23, United States Code.

17 (3) CONTRACT AUTHORITY.—Funds made
18 available by this subsection shall be available for ob-
19 ligation in the same manner as if such funds were
20 apportioned under chapter 1 of title 23, United
21 States Code, and shall be subject to a limitation on
22 obligations for Federal-aid highways and highway
23 safety construction programs.

24 (d) TERRITORIES.—Section 1101 of the Transpor-
25 tation Equity Act for the 21st Century (112 Stat. 111–

1 115) is further amended by adding at the end the fol-
 2 lowing:

3 “(d) TERRITORIES.—

4 “(1) IN GENERAL.—In lieu of the amounts de-
 5 ducted under section 104(b)(1) of title 23, United
 6 States Code, there shall be available from the High-
 7 way Trust Fund (other than the Mass Transit Ac-
 8 count) for the Virgin Islands, Guam, American
 9 Samoa, and the Commonwealth of the Northern
 10 Mariana Islands \$15,166,667 for the period of Octo-
 11 ber 1, 2003, through February 29, 2004.

12 “(2) CONTRACT AUTHORITY.—Funds made
 13 available by this subsection shall be available for ob-
 14 ligation in the same manner as if the funds were ap-
 15 portioned under chapter 1 of title 23, United States
 16 Code, and shall be subject to a limitation on obliga-
 17 tions for Federal-aid highways and highway safety
 18 construction programs.”.

19 (e) ALASKA HIGHWAY.—Section 1101 of such Act is
 20 further amended by adding at the end the following:

21 “(e) ALASKA HIGHWAY.—

22 “(1) IN GENERAL.—In lieu of the amounts de-
 23 ducted under section 104(b)(1) of title 23, United
 24 States Code, there shall be available from the High-
 25 way Trust Fund (other than the Mass Transit Ac-

count) for the Alaska Highway program under section 218 of such title \$7,833,333 for the period of October 1, 2003, through February 29, 2004.

“(2) CONTRACT AUTHORITY.—Funds made available by this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.”.

(f) OPERATION LIFESAVER.—Section 1101 of such Act is further amended by adding at the end the following:

“(f) OPERATION LIFESAVER.—

“(1) IN GENERAL.—In lieu of the amount set aside under section 104(d)(1) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the operation lifesaver program under such section \$208,333 for the period of October 1, 2003, through February 29, 2004.

“(2) CONTRACT AUTHORITY.—Funds made available by this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obliga-

1 tions for Federal-aid highways and highway safety
2 construction programs.”.

3 (g) BRIDGE DISCRETIONARY.—Section 1101 of such
4 Act is further amended by adding at the end the following:

5 “(g) BRIDGE DISCRETIONARY.—

6 “(1) IN GENERAL.—There shall be available
7 from the Highway Trust Fund (other than the Mass
8 Transit Account) \$41,666,667 to the Secretary at
9 the discretion of the Secretary to carry out section
10 144(g) of title 23, United States Code, for the pe-
11 riod of October 1, 2003, through February 29,
12 2004.

13 “(2) CONTRACT AUTHORITY.—Funds made
14 available by this subsection shall be available for ob-
15 ligation in the same manner as if the funds were ap-
16 portioned under chapter 1 of title 23, United States
17 Code, and shall be subject to a limitation on obliga-
18 tions for Federal-aid highways and highway safety
19 construction programs.”.

20 (h) INTERSTATE MAINTENANCE.—Section 1101 of
21 such Act is further amended by adding at the end the fol-
22 lowing:

23 “(h) INTERSTATE MAINTENANCE.—

24 “(1) IN GENERAL.—There shall be available
25 from the Highway Trust Fund (other than the Mass

1 Transit Account) \$41,666,667 to the Secretary to
2 carry out projects described in section 118(c)(1) of
3 title 23, United States Code, for the period of Octo-
4 ber 1, 2003, through February 29, 2004.

5 “(2) PROJECT SELECTION CRITERIA.—The
6 project selection criteria in section 118(c)(2) of such
7 title shall apply to amounts made available by this
8 subsection.

9 “(3) CONTRACT AUTHORITY.—Funds made
10 available by this subsection shall be available for ob-
11 ligation in the same manner as if the funds were ap-
12 portioned under chapter 1 of title 23, United States
13 Code, and shall be subject to a limitation on obliga-
14 tions for Federal-aid highways and highway safety
15 construction programs; except that such funds shall
16 remain available until expended.”.

17 (i) RECREATIONAL TRAILS ADMINISTRATIVE
18 COSTS.—Section 1101 of such Act is further amended by
19 adding at the end the following:

20 “(i) RECREATIONAL TRAILS ADMINISTRATIVE
21 COSTS.—

22 “(1) IN GENERAL.—In lieu of the amount to be
23 deducted under section 104(h)(1) of title 23, United
24 States Code, there shall be available from the High-
25 way Trust Fund (other than the Mass Transit Ac-

1 count) to the Secretary to cover costs of the Sec-
2 retary described in such section \$312,500 for the pe-
3 riod of October 1, 2003, through February 29,
4 2004.

5 “(2) CONTRACT AUTHORITY.—Funds made
6 available by this subsection shall be available for ob-
7 ligation in the same manner as if the funds were ap-
8 portioned under chapter 1 of title 23, United States
9 Code, and shall be subject to a limitation on obliga-
10 tions for Federal-aid highways and highway safety
11 construction programs.”.

12 (j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
13 NATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101
14 of such Act is further amended by adding at the end the
15 following:

16 “(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
17 NATION IN HIGH SPEED RAIL CORRIDORS.—

18 “(1) IN GENERAL.—In lieu of the amount to be
19 deducted under section 104(d)(2) of title 23, United
20 States Code, there shall be available from the High-
21 way Trust Fund (other than the Mass Transit Ac-
22 count) to the Secretary for elimination of hazards of
23 railway-highway crossings in accordance with such
24 section \$2,187,500 for the period of October 1,
25 2003, through February 29, 2004; except that not

1 less than \$104,167 instead of \$250,000 shall be
2 available for the period of October 1, 2003, through
3 February 29, 2004, for eligible improvements de-
4 scribed in subparagraph (E) of such section.

5 “(2) CONTRACT AUTHORITY.—Funds made
6 available by this subsection shall be available for ob-
7 ligation in the same manner as if the funds were ap-
8 portioned under chapter 1 of title 23, United States
9 Code, and shall be subject to a limitation on obliga-
10 tions for Federal-aid highways and highway safety
11 construction programs.”.

12 (k) NONDISCRIMINATION.—Section 1101 of such Act
13 is further amended by adding at the end the following:

14 “(k) NONDISCRIMINATION.—

15 “(1) SKILLS TRAINING.—In lieu of the amount
16 to be deducted under section 140(b) of title 23,
17 United States Code, there shall be available from the
18 Highway Trust Fund (other than the Mass Transit
19 Account) to the Secretary for the administration of
20 such section \$4,166,667 for the period of October 1,
21 2003, through February 29, 2004.

22 “(2) ON-THE-JOB TRAINING.—In lieu of the
23 amount to be deducted under section 140(c) of title
24 23, United States Code, there shall be available from
25 the Highway Trust Fund (other than the Mass

1 Transit Account) to the Secretary for the adminis-
2 tration of such section \$4,166,667 for the period of
3 October 1, 2003, through February 29, 2004.

4 “(3) CONTRACT AUTHORITY.—Funds made
5 available by this subsection shall be available for ob-
6 ligation in the same manner as if the funds were ap-
7 portioned under chapter 1 of title 23, United States
8 Code, and shall be subject to a limitation on obliga-
9 tions for Federal-aid highways and highway safety
10 construction programs; except that funds made
11 available by paragraph (1) shall remain available
12 until expended.”.

13 (l) ADMINISTRATION OF FUNDS.—Funds authorized
14 by the amendments made by this section shall be adminis-
15 tered as if the funds had been apportioned, allocated, de-
16 ducted, or set aside, as the case may be, under title 23,
17 United States Code, except that the deductions under sec-
18 tions 104(a)(1)(A) and 104(a)(1)(B) of such title shall not
19 apply to funds made available by the amendment made
20 by subsection (a)(1) of this section.

21 (m) REDUCTION OF ALLOCATED PROGRAMS.—The
22 Secretary of Transportation shall reduce the amount that
23 would be made available, but for this section, for fiscal
24 year 2004 for allocation under a program, that is contin-
25 ued both by a law reauthorizing such program enacted

1 after the date of enactment of this Act and by this section,
 2 by the amount made available for such program by this
 3 section.

4 (n) PROGRAM CATEGORY RECONCILIATION.—The
 5 Secretary may establish procedures under which funds al-
 6 located under this section for fiscal year 2004 for a pro-
 7 gram category for which funds are not authorized for fis-
 8 cal year 2004 under a multiyear law reauthorizing the
 9 Federal-aid highway program enacted after the date of en-
 10 actment of this Act may be restored to the Federal-aid
 11 highway program.

12 **SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

13 (a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

14 (1) SEAT BELT SAFETY INCENTIVE GRANTS.—
 15 Section 157 of title 23, United States Code, is
 16 amended—

17 (A) in subsection (a)(3) by striking
 18 “2001” and inserting “2002”;

19 (B) in subsection (a)(8)(B) by striking
 20 “2001” and inserting “2002”;

21 (C) in subsection (b) by striking “2002”
 22 and inserting “2003”;

23 (D) in subsection (c)(1) by striking
 24 “2002” and inserting “2003”;

1 (E) in subsection (c)(2) by striking
2 “2002” and inserting “2003”;

3 (F) in subsection (f)(4) by striking “2002”
4 and inserting “2003”;

5 (G) in subsection (g)(1)—

6 (i) by striking “and”; and

7 (ii) by inserting before the period at
8 the end the following: “, and \$46,666,667
9 for the period of October 1, 2003, through
10 February 29, 2004”;

11 (H) in the heading to subsection (g)(3)(B)
12 by striking “2003” and inserting “2004”; and

13 (I) in subsection (g)(3)(B) by striking
14 “2003” and inserting “2004”.

15 (2) PREVENTION OF INTOXICATED DRIVER IN-
16 CENTIVE GRANTS.—Section 163(e)(1) of such title is
17 amended—

18 (A) by striking “and”; and

19 (B) by inserting before the period at the
20 end the following: “, and \$50,000,000 for the
21 period of October 1, 2003, through February
22 29, 2004”.

23 (b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
24 tion 2009(a)(1) of the Transportation Equity Act for the
25 21st Century (112 Stat. 337) is amended—

1 (1) by striking “and”; and

2 (2) by inserting before the period at the end the
3 following: “, and \$68,750,000 for the period of Oc-
4 tober 1, 2003, through February 29, 2004”.

5 (c) HIGHWAY SAFETY RESEARCH AND DEVELOP-
6 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337)
7 is amended by inserting after “2003” the following: “, and
8 \$30,000,000 for the period of October 1, 2003, through
9 February 29, 2004”.

10 (d) OCCUPANT PROTECTION INCENTIVE GRANTS.—
11 Section 2009(a)(3) of such Act (112 Stat. 337) is amend-
12 ed—

13 (1) by striking “and”; and

14 (2) by inserting before the period at the end the
15 following: “, and \$8,333,333 for the period of Octo-
16 ber 1, 2003, through February 29, 2004”.

17 (e) ALCOHOL-IMPAIRED DRIVING COUNTER-
18 MEASURES INCENTIVE GRANTS.—

19 (1) EXTENSION OF PROGRAM.—Section 410 of
20 title 23, United States Code, is amended—

21 (A) in subsection (a)(3) by striking “6”
22 and inserting “7”; and

23 (B) in subsection (a)(4)(C) by striking
24 “and sixth” and inserting “, sixth, and sev-
25 enth”; and

1 (2) AUTHORIZATION OF APPROPRIATIONS.—
 2 Section 2009(a)(4) of such Act (112 Stat. 337) is
 3 amended—

4 (A) by striking “and” the last place it ap-
 5 pears; and

6 (B) by inserting before the period at the
 7 end the following: “, and \$16,666,667 for the
 8 period of October 1, 2003, through February
 9 29, 2004”.

10 (f) NATIONAL DRIVER REGISTER.—Section
 11 2009(a)(6) of such Act (112 Stat. 338) is amended by
 12 inserting after “2003” the following: “, and \$833,333 for
 13 the period of October 1, 2003, through February 29,
 14 2004”.

15 (g) ALLOCATIONS.—Section 2009(b) of such Act
 16 (112 Stat. 338) is amended—

17 (1) in paragraph (1) by striking “2003” and in-
 18 serting “2004”; and

19 (2) in paragraph (2) by striking “2003” and in-
 20 serting “2004”.

21 (h) APPLICABILITY OF TITLE 23.—Section 2009(c)
 22 of such Act (112 Stat. 338) is amended by striking
 23 “2003” and inserting “2004”.

24 **SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.**

25 (a) ADMINISTRATIVE EXPENSES.—

1 (1) IN GENERAL.—There shall be available
2 from the Highway Trust Fund (other than the Mass
3 Transit Account) for the Secretary of Transpor-
4 tation to pay administrative expenses of the Federal
5 Motor Carrier Safety Administration \$71,487,500
6 for the period of October 1, 2003, through February
7 29, 2004.

8 (2) USE OF FUNDS.—Funds authorized by this
9 subsection may be used for personnel costs; adminis-
10 trative infrastructure; rent; information technology;
11 and programs for research and technology, regu-
12 latory development, and other operating expenses
13 and similar matters.

14 (b) MOTOR CARRIER SAFETY ASSISTANCE PRO-
15 GRAM.—Section 31104(a) of title 49, United States Code,
16 is amended by adding at the end the following:

17 “(7) Not more than \$68,750,000 for the period
18 of October 1, 2003, through February 29, 2004.”.

19 (c) INFORMATION SYSTEMS AND COMMERCIAL DRIV-
20 ER’S LICENSE GRANTS.—

21 (1) AUTHORIZATION OF APPROPRIATION.—Sec-
22 tion 31107(a) of such title is amended—

23 (A) by striking “and” at the end of para-
24 graph (2);

1 (B) by striking the period at the end of
2 paragraph (3) and inserting a semicolon;

3 (C) by striking the period at the end of
4 paragraph (4) and inserting “; and”; and

5 (D) by adding at the end the following:

6 “(5) \$8,333,333 for the period of October 1,
7 2003 through February 29, 2004.”.

8 (2) EMERGENCY CDL GRANTS.—From amounts
9 made available by section 31107(a) of title 49,
10 United States Code, for the period of October 1,
11 2003 through February 29, 2004, the Secretary of
12 Transportation may make grants of up to \$416,667
13 to a State whose commercial driver’s license pro-
14 gram may fail to meet the compliance requirements
15 of section 31311(a) of such title.

16 (d) CRASH CAUSATION STUDY.—There shall be avail-
17 able from the Highway Trust Fund (other than the Mass
18 Transit Account) for the Federal Motor Carrier Safety
19 Administration to continue the crash causation study re-
20 quired by section 224 of the Motor Carrier Safety Im-
21 provement Act of 1999 (49 U.S.C. 31100 note; 113 Stat.
22 1770–1771), \$416,667 for the period of October 1, 2003
23 through February 29, 2004.

24 (e) CONTRACT AUTHORITY.—Funds made available
25 by this section shall be available for obligation in the same

1 manner as if such funds were apportioned under chapter
 2 1 of title 23, United States Code.

3 **SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.**

4 (a) **ALLOCATING AMOUNTS.**—Section 5309(m) of
 5 title 49, United States Code, is amended—

6 (1) in paragraph (1) by inserting “and for the
 7 period of October 1, 2003, through February 29,
 8 2004” after “2003”;

9 (2) in paragraph (2)(B) by inserting after
 10 clause (ii) the following:

11 “(iii) **OCTOBER 1, 2003 THROUGH FEB-**
 12 **RUARY 29, 2004.**—Of the amounts made
 13 available under paragraph (1)(B),
 14 \$4,333,333 shall be available for the period
 15 of October 1, 2003, through February 29,
 16 2004, for capital projects described in
 17 clause (i).”;

18 (3) in paragraph (3)(B) by inserting after
 19 “2003” the following: “(and \$1,250,000 shall be
 20 available for the period October 1, 2003, through
 21 February 29, 2004)”; and

22 (4) in paragraph (3)(C) by inserting after
 23 “2003” the following: “(and \$20,833,334 shall be
 24 available for the period October 1, 2003, through
 25 February 29, 2004)”.

1 (b) APPORTIONMENT OF APPROPRIATIONS FOR
2 FIXED GUIDEWAY MODERNIZATION.—

3 (1) SPECIAL RULE FOR OCTOBER 1, 2003
4 THROUGH FEBRUARY 29, 2004.—The Secretary of
5 Transportation shall determine the amount that
6 each urbanized area is to be apportioned for fixed
7 guideway modernization under section 5337 of title
8 49, United States Code, on a pro rata basis to re-
9 flect the partial fiscal year 2004 funding made avail-
10 able by sections 5338(b)(2)(A)(vi) and
11 5338(b)(2)(B)(vi) of such title.

12 (2) TECHNICAL AMENDMENT.—Section 5337 of
13 such title is amended by striking the first subsection
14 (e), relating to special rule.

15 (c) FORMULA GRANTS AUTHORIZATIONS.—Section
16 5338(a) of such title is amended—

17 (1) in the heading to paragraph (2) by inserting
18 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
19 THROUGH FEBRUARY 29, 2004” after “2003”;

20 (2) by striking “and” at the end of paragraphs
21 (2)(A)(iv) and (2)(B)(iv);

22 (3) by striking the period at the end of para-
23 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
24 and”;

1 (4) by adding at the end of paragraph (2)(A)
2 the following:

3 “(vi) \$1,292,948,344 for the period of
4 October 1, 2003, through February 29,
5 2004.”;

6 (5) by adding at the end in paragraph (2)(B)
7 the following:

8 “(vi) \$323,459,169 for the period of
9 October 1, 2003, through February 29,
10 2004.”; and

11 (6) in paragraph (2)(C) by inserting after “a
12 fiscal year” the following: “(other than for the pe-
13 riod of October 1, 2003, through February 29,
14 2004)”.

15 (d) ALLOCATION OF FORMULA GRANT FUNDS FOR
16 OCTOBER 1, 2003, THROUGH FEBRUARY 29, 2004.—Of
17 the aggregate of amounts made available by and appro-
18 priated under section 5338(a)(2) of title 49, United States
19 Code, for the period of October 1, 2003, through February
20 29, 2004—

21 (1) \$2,020,813 shall be available to the Alaska
22 Railroad for improvements to its passenger oper-
23 ations under section 5307 of such title;

24 (2) \$20,833,334 shall be available to carry out
25 section 5308 of such title; and

1 (3) of the remaining amount—

2 (A) 2.4 percent shall be available to pro-
3 vide transportation services to elderly individ-
4 uals and individuals with disabilities under sec-
5 tion 5310 of such title;

6 (B) 6.37 percent shall be available to pro-
7 vide financial assistance for other than urban-
8 ized areas under section 5311 of such title; and

9 (C) 91.23 percent shall be available to pro-
10 vide financial assistance for urbanized areas
11 under section 5307 of such title.

12 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section
13 5338(b) of such title is amended—

14 (1) in the heading to paragraph (2) by inserting
15 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
16 THROUGH FEBRUARY 29, 2004” after “2003”;

17 (2) by striking “and” at the end of paragraphs
18 (2)(A)(iv) and (2)(B)(iv);

19 (3) by striking the period at the end of para-
20 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
21 and”;

22 (4) by adding at the end of paragraph (2)(A)
23 the following:

1 “(vi) \$1,022,503,342 for the period of
2 October 1, 2003, through February 29,
3 2004.”; and

4 (5) by adding at the end of paragraph (2)(B)
5 the following:

6 “(vi) \$255,801,669 for the period of
7 October 1, 2003, through February 29,
8 2004.”.

9 (f) PLANNING AUTHORIZATIONS AND ALLOCA-
10 TIONS.—Section 5338(c) is amended—

11 (1) in the heading to paragraph (2) by inserting
12 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
13 THROUGH FEBRUARY 29, 2004” after “2003”;

14 (2) by striking “and” at the end of paragraphs
15 (2)(A)(iv) and (2)(B)(iv);

16 (3) by striking the period at the end of para-
17 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
18 and”;

19 (4) by adding at the end of paragraph (2)(A)
20 the following:

21 “(vi) \$24,636,667 for the period of
22 October 1, 2003, through February 29,
23 2004.”;

24 (5) by adding at the end of paragraph (2)(B)
25 the following:

1 “(vi) \$6,100,000 for the period of Oc-
2 tober 1, 2003, through February 29,
3 2004.”; and

4 (6) in paragraph (2)(C) by inserting “or any
5 portion of a fiscal year” after “fiscal year”.

6 (g) RESEARCH AUTHORIZATIONS.—Section 5338(d)
7 of such title is amended—

8 (1) in the heading to paragraph (2) by inserting
9 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
10 THROUGH FEBRUARY 29, 2004” after “2003”;

11 (2) by striking “and” at the end of paragraphs
12 (2)(A)(iv) and (2)(B)(iv);

13 (3) by striking the period at the end of para-
14 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
15 and”;

16 (4) by adding at the end of paragraph (2)(A)
17 the following:

18 “(vi) \$16,536,667 for the period of
19 October 1, 2003, through February 29,
20 2004.”;

21 (5) by adding at the end of paragraph (2)(B)
22 the following:

23 “(vi) \$4,095,000 for the period of Oc-
24 tober 1, 2003, through February 29,
25 2004.”; and

1 (6) in paragraph (2)(C) by inserting after “a
2 fiscal year” the following: “(other than for the pe-
3 riod of October 1, 2003, through February 29,
4 2004)”.

5 (h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-
6 BER 1, 2003, THROUGH FEBRUARY 29, 2004.—Of the
7 funds made available by or appropriated under section
8 5338(d)(2) of title 49, United States Code, for the period
9 of October 1, 2003, through February 29, 2004—

10 (1) not less than \$2,187,500 shall be available
11 for providing rural transportation assistance under
12 section 5311(b)(2) of such title;

13 (2) not less than \$3,437,500 shall be available
14 for carrying out transit cooperative research pro-
15 grams under section 5313(a) of such title;

16 (3) not less than \$1,666,667 shall be available
17 to carry out programs under the National Transit
18 Institute under section 5315 of such title, including
19 not more than \$416,667 shall be available to carry
20 out section 5315(a)(16) of such title; and

21 (4) the remainder shall be available for carrying
22 out national planning and research programs under
23 sections 5311(b)(2), 5312, 5313(a), 5314, and 5322
24 of such title.

1 (i) UNIVERSITY TRANSPORTATION RESEARCH AU-
2 THORIZATIONS.—Section 5338(e) of such title is amend-
3 ed—

4 (1) in the heading to paragraph (2) by inserting
5 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
6 THROUGH FEBRUARY 29, 2004” after “2003”;

7 (2) in paragraph (2)(A) by inserting after
8 “2003” the following: “and \$2,020,833 for the pe-
9 riod of October 1, 2003, through February 29,
10 2004”;

11 (3) in paragraph (2)(B) by inserting after
12 “2003” the following: “and \$505,833 for the period
13 of October 1, 2003, through February 29, 2004”;
14 and

15 (4) in clauses (i) and (iii) of paragraph (2)(C)
16 by inserting after “fiscal year” the following: “(other
17 than for the period of October 1, 2003, through
18 February 29, 2004)”.

19 (j) ALLOCATION OF UNIVERSITY TRANSPORTATION
20 RESEARCH FUNDS.—

21 (1) IN GENERAL.—Of the amounts made avail-
22 able under section 5338(e)(2)(A) of title 49, United
23 States Code, for the period October 1, 2003,
24 through February 29, 2004—

1 (A) \$833,333 shall be available for the
2 center identified in section 5505(j)(4)(A) of
3 such title; and

4 (B) \$833,333 shall be available for the
5 center identified in section 5505(j)(4)(F) of
6 such title.

7 (2) TRAINING AND CURRICULUM DEVELOP-
8 MENT.—Notwithstanding section 5338(e)(2) of such
9 title, any amounts made available under such section
10 for such period that remain after distribution under
11 paragraph (1), shall be available for the purposes
12 identified in section 3015(d) of the Transportation
13 Equity Act for the 21st Century (112 Stat. 857).

14 (3) CONFORMING AMENDMENT.—Section
15 3015(d)(2) of the Transportation Equity Act for the
16 21st Century (112 Stat. 857) is amended by insert-
17 ing “and in the period October 31, 2003, through
18 February 29, 2004” after “2003”.

19 (k) ADMINISTRATION AUTHORIZATIONS.—Section
20 5338(f) of such title is amended—

21 (1) in the heading to paragraph (2) by inserting
22 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
23 THROUGH FEBRUARY 29, 2004” after “2003”;

24 (2) by striking “and” at the end of paragraphs
25 (2)(A)(iv) and (2)(B)(iv);

1 (3) by striking the period at the end of para-
 2 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
 3 and”;

4 (4) by adding at the end of paragraph (2)(A)
 5 the following:

6 “(vi) \$24,585,834 for the period of
 7 October 1, 2003, through February 29,
 8 2004.”; and

9 (5) by adding at the end of paragraph (2)(B)
 10 the following:

11 “(vi) \$6,150,833 for the period of Oc-
 12 tober 1, 2003, through February 29,
 13 2004.”.

14 (l) JOB ACCESS AND REVERSE COMMUTE PRO-
 15 GRAM.—Section 3037(l) of the Transportation Equity Act
 16 for the 21st Century (49 U.S.C. 5309 note; 112 Stat.
 17 391–392) is amended—

18 (1) by striking “and” at the end of paragraphs
 19 (1)(A)(iv) and (1)(B)(iv);

20 (2) by striking the period at the end of para-
 21 graphs (1)(A)(v) and (1)(B)(v) and inserting “;
 22 and”;

23 (3) by adding at the end of paragraph (1)(A)
 24 the following:

1 “(vi) \$50,519,167 for the period of
2 October 1, 2003, through February 29,
3 2004.”;

4 (4) by adding at the end of paragraph (1)(B)
5 the following:

6 “(vi) \$12,638,333 for the period of
7 October 1, 2003, through February 29,
8 2004.”; and

9 (5) by inserting before the period at the end of
10 paragraph (2) the following: “; except that in the pe-
11 riod of October 1, 2003, through February 29,
12 2004, \$4,166,667 shall be used for such projects”.

13 (m) RURAL TRANSPORTATION ACCESSIBILITY IN-
14 CENTIVE PROGRAM.—Section 3038(g) of such Act (49
15 U.S.C. 5310 note; 112 Stat. 393) is amended—

16 (1) by adding at the end of paragraph (1) the
17 following:

18 “(F) \$2,187,500 for the period of October
19 1, 2003, through February 29, 2004.”; and

20 (2) in paragraph (2) by inserting after “2003”
21 the following: “(and \$708,333 shall be available for
22 the period of October 1, 2003, through February 29,
23 2004)”.

24 (n) URBANIZED AREA FORMULA GRANTS.—Section
25 5307(b) of title 49, United States Code, is amended—

1 (1) in the heading to paragraph (2) by inserting
2 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
3 THROUGH FEBRUARY 29, 2004” after “2003”;

4 (2) in paragraph (2)(A)—

5 (A) by inserting “and for the period of Oc-
6 tober 1, 2003, through February 29, 2004”
7 after “2003,”;

8 (B) by striking “or” at the end of clause
9 (ii);

10 (C) by striking the period at the end of
11 clause (iii) and inserting “; and”; and

12 (D) by adding at the end the following:

13 “(iv) a portion of the area was not
14 designated as an urbanized area as deter-
15 mined under the 1990 Federal decennial
16 census and received assistance under sec-
17 tion 5311 in fiscal year 2002.”;

18 (3) by adding at the end of paragraph (2)(B)
19 the following: “Each portion of an area not des-
20 ignated as an urbanized area under the 1990 Fed-
21 eral decennial census and eligible to receive funds
22 under subparagraph (A)(iv) shall receive an amount
23 of funds made available to carry out this section
24 that is no less than the amount the portion of the

1 area received under section 5311 in fiscal year
2 2002.”.

3 (o) OBLIGATION CEILING.—Section 3040 of the
4 Transportation Equity Act for the 21st Century (112
5 Stat. 394) is amended—

6 (1) by striking “and” at the end of paragraph
7 (4);

8 (2) by striking the period at the end of para-
9 graph (5) and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(6) \$3,042,501,691 for the period of October
12 1, 2003, through February 29, 2004.”.

13 (p) FUEL CELL BUS AND BUS FACILITIES PRO-
14 GRAM.—Section 3015(b) of such Act (112 Stat. 361) is
15 amended by inserting “(or, in the case of the period of
16 October 1, 2003, through February 29, 2004,
17 \$2,020,833)” after “\$4,850,000”.

18 (q) ADVANCED TECHNOLOGY PILOT PROJECT.—Sec-
19 tion 3015(c)(2) of such Act (49 U.S.C. 322 note; 112
20 Stat. 361) is amended—

21 (1) by inserting “and for the period of October
22 1, 2003, through February 29, 2004, after “2003,”;
23 and

24 (2) by inserting “and \$2,083,333 for such pe-
25 riod” after “\$5,000,000 per fiscal year”.

1 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS
2 AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections
3 (a), (b), and (c)(1) of section 3030 of such Act (112 Stat.
4 373–381) are amended by inserting “and for the period
5 of October 1, 2003, through February 29, 2004,” after
6 “2003”.

7 (s) NEW JERSEY URBAN CORE PROJECT.—Subpara-
8 graphs (A), (B), and (C) of section 3031(a)(3) of the
9 Intermodal Surface Transportation Efficiency Act of 1991
10 (105 Stat. 2122; 112 Stat. 379) are amended by inserting
11 “and for the period of October 1, 2003, through February
12 29, 2004,” after “2003,”.

13 (t) TREATMENT OF FUNDS.—Amounts made avail-
14 able under the amendments made by this section shall be
15 treated for purposes of section 1101(b) of the Transpor-
16 tation Equity Act for the 21st Century (23 U.S.C. 101
17 note) as amounts made available for programs under title
18 III of such Act.

19 **SEC. 9. SPORT FISHING AND BOATING SAFETY.**

20 (a) FUNDING FOR NATIONAL OUTREACH AND COM-
21 MUNICATIONS PROGRAM.—Section 4(c) of the Dingell-
22 Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c))
23 is amended—

24 (1) by striking “and” at the end of paragraph
25 (4);

1 (2) by inserting “and” after the semicolon at
2 the end of paragraph (5); and

3 (3) by inserting after paragraph (5) the fol-
4 lowing:

5 “(6) \$4,166,667 for the period of October 1,
6 2003, through February 29, 2004;”.

7 (b) CLEAN VESSEL ACT FUNDING.—Section 4(b) of
8 such Act (16 U.S.C. 777c(b)) is amended:

9 (1) by redesignating paragraph (4) as para-
10 graph (5);

11 (2) by inserting after paragraph (3) the fol-
12 lowing:

13 “(4) FIRST 5 MONTHS OF FISCAL YEAR 2004.—
14 For the period of October 1, 2003, through Feb-
15 ruary 29, 2004, of the balance of each annual appro-
16 priation remaining after making the distribution
17 under subsection (a), an amount equal to
18 \$34,166,667, reduced by 82 percent of the amount
19 appropriated for that fiscal year from the Boat Safe-
20 ty Account of the Aquatic Resources Trust Fund es-
21 tablished by section 9504 of the Internal Revenue
22 Code of 1986 to carry out the purposes of section
23 13106(a) of title 46, United States Code, shall be
24 used as follows:

1 “(A) \$4,166,667 shall be available to the
2 Secretary of the Interior for 3 fiscal years for
3 obligation for qualified projects under section
4 5604(c) of the Clean Vessel Act of 1992 (33
5 U.S.C. 1322 note).

6 “(B) \$3,333,333 shall be available to the
7 Secretary of the Interior for 3 fiscal years for
8 obligation for qualified projects under section
9 7404(d) of the Sportfishing and Boating Safety
10 Act of 1998 (16 U.S.C. 777g–1(d)).

11 “(C) The balance remaining after the ap-
12 plication of subparagraphs (A) and (B) shall be
13 transferred to the Secretary of Transportation
14 and shall be expended for State recreational
15 boating safety programs under section 13106 of
16 title 46, United States Code.”.

17 (c) BOAT SAFETY FUNDS.—Section 13106(c) of title
18 46, United States Code, is amended to read as follows:

19 “(c) Of the amount transferred to the Secretary of
20 Transportation under paragraph (4) of section 4(b) of the
21 Dingell-Johnson Sport Fish Restoration Act (16 U.S.C.
22 777c(b)), \$2,083,333 is available to the Secretary for pay-
23 ment of expenses of the Coast Guard for personnel and
24 activities directly related to coordinating and carrying out
25 the national recreational boating safety program under

1 this title, of which \$833,333 shall be available to the Sec-
 2 retary only to ensure compliance with chapter 43 of this
 3 title. No funds available to the Secretary under this sub-
 4 section may be used to replace funding traditionally pro-
 5 vided through general appropriations, nor for any pur-
 6 poses except those purposes authorized by this section.
 7 Amounts made available by this subsection shall remain
 8 available until expended. The Secretary shall publish an-
 9 nually in the Federal Register a detailed accounting of the
 10 projects, programs, and activities funded under this sub-
 11 section.”.

12 **SEC. 10. BUDGET LIMITATIONS.**

13 (a) ADJUSTMENTS TO ANNUALIZED DISCRETIONARY
 14 SPENDING LIMITS.—In the matter that precedes subpara-
 15 graph (A) of section 251(b)(2) of the Balanced Budget
 16 and Emergency Deficit Control Act of 1985, strike
 17 “through 2002”.

18 (b) DISCRETIONARY SPENDING LIMITS.—Section
 19 251(c) of the Balanced Budget and Emergency Deficit
 20 Control Act of 1985 is amended as follows:

21 (1) Strike paragraphs (1) through (7) and re-
 22 designate paragraph (8) (which relates to fiscal year
 23 2004) as paragraph (1) and in such redesignated
 24 paragraph strike “(1) with respect to fiscal year
 25 2004”, redesignate the remaining matter as sub-

1 paragraph (C), and before such redesignated matter
 2 insert the following:

3 “(1) with respect to fiscal year 2004—

4 “(A) for the highway category:
 5 \$31,834,000,000 in outlays;

6 “(B) for the mass transit category:
 7 \$1,462,000,000 in new budget authority and
 8 \$6,629,000,000 in outlays; and”.

9 (2) Redesignate paragraphs (9) through (16) as
 10 paragraphs (2) through (9).

11 (c) CATEGORY DEFINED.—Section 250(c)(4) of the
 12 Balanced Budget and Emergency Deficit Control Act of
 13 1985 is amended—

14 (1) in subparagraph (B) by inserting after
 15 “Century” the following: “and the Surface Trans-
 16 portation Extension Act of 2003”; and

17 (2) in subparagraph (C)—

18 (A) by inserting after “Century” the first
 19 place it appears the following: “and the Surface
 20 Transportation Extension Act of 2003”; and

21 (B) by striking “that Act” and inserting
 22 “those Acts”.

23 (d) CONFORMANCE WITH THE CONCURRENT RESO-
 24 LUTION ON THE BUDGET FOR FISCAL YEAR 2004.—Not-
 25 withstanding any other provision of law, all adjustments

1 made pursuant to section 110(a)(2) of title 23, United
 2 States Code, to sums authorized to be appropriated from
 3 the Highway Trust Fund (other than the Mass Transit
 4 Account) to carry out each of the Federal-aid highway and
 5 highway safety construction programs (other than emer-
 6 gency relief) in fiscal year 2004 shall be deemed to be zero.

7 (e) SENSE OF CONGRESS ON ADJUSTMENT TO ALIGN
 8 HIGHWAY SPENDING WITH REVENUES.—It is the sense
 9 of Congress that, in any multiyear reauthorization of the
 10 Federal-aid highway program, the alignment of highway
 11 spending with revenues under section 251(b)(1)(B)(ii) of
 12 the Balanced Budget and Emergency Deficit Control Act
 13 of 1985 should be restructured to minimize year-to-year
 14 fluctuations in highway spending levels and to ensure the
 15 uniform enforcement of such levels.

16 **SEC. 11. LEVEL OF OBLIGATION LIMITATIONS.**

17 (a) HIGHWAY CATEGORY.—Section 8103(a) of the
 18 Transportation Equity Act for the 21st Century (2 U.S.C.
 19 901 note; 112 Stat. 492) is amended—

20 (1) by striking “and” at the end of paragraph
 21 (4);

22 (2) by striking the period at the end of para-
 23 graph (5) and inserting “; and”; and

24 (3) by adding at the end the following:

25 “(6) for fiscal year 2004, \$34,498,000,000.”.

1 (b) MASS TRANSIT CATEGORY.—Section 8103(b) of
 2 such Act (2 U.S.C. 901 note; 112 Stat. 492) is amended—

3 (1) by striking “and” at the end of paragraph
 4 (4);

5 (2) by striking the period at the end of para-
 6 graph (5) and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(6) for fiscal year 2004, \$7,303,000,000.”.

9 (c) TREATMENT OF FUNDS.—Notwithstanding any
 10 other provision of law, funds made available under this
 11 Act, including the amendments made by this Act, shall
 12 be deemed to be zero for the purposes of section 110 of
 13 the title 23, United States Code.

14 **SEC. 12. EXTENSION OF AUTHORIZATION FOR USE OF**
 15 **TRUST FUNDS FOR OBLIGATIONS UNDER TEA**

16 **21.**

17 (a) HIGHWAY TRUST FUND.—

18 (1) IN GENERAL.—Paragraph (1) of section
 19 9503(c) of the Internal Revenue Code of 1986 is
 20 amended—

21 (A) in the matter before subparagraph (A),
 22 by striking “October 1, 2003” and inserting
 23 “July 1, 2004”, and

24 (B) in the matter after subparagraph (E),
 25 by striking “TEA 21 Restoration Act” and in-

1 serting “Surface Transportation Extension Act
2 of 2003”.

3 (2) MASS TRANSIT ACCOUNT.—Paragraph (3)
4 of section 9503(e) of such Code is amended—

5 (A) in the matter before subparagraph (A),
6 by striking “October 1, 2003” and inserting
7 “July 1, 2004”, and

8 (B) in the matter after subparagraph (C),
9 by striking “TEA 21 Restoration Act” and in-
10 serting “Surface Transportation Extension Act
11 of 2003”.

12 (3) EXCEPTION TO LIMITATION ON TRANS-
13 FERS.—Subparagraph (B) of section 9503(b)(5) of
14 such Code is amended by striking “October 1,
15 2003” and inserting “July 1, 2004”.

16 (b) AQUATIC RESOURCES TRUST FUND.—

17 (1) SPORT FISH RESTORATION ACCOUNT.—Sub-
18 paragraphs (B) and (C) of section 9504(b)(2) of the
19 Internal Revenue Code of 1986 are each amended by
20 striking “TEA 21 Restoration Act” and inserting
21 “Surface Transportation Extension Act of 2003”.

22 (2) BOAT SAFETY ACCOUNT.—Subsection (c) of
23 section 9504 of such Code is amended—

24 (A) by striking “October 1, 2003” and in-
25 serting “July 1, 2004”, and

1 (B) by striking “TEA 21 Restoration Act”
2 and inserting “Surface Transportation Exten-
3 sion Act of 2003”.

4 (3) EXCEPTION TO LIMITATION ON TRANS-
5 FERS.—Paragraph (2) of section 9504(d) of such
6 Code is amended by striking “October 1, 2003” and
7 inserting “July 1, 2004”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the date of the enactment
10 of this Act.

11 (d) TEMPORARY RULE REGARDING ADJUST-
12 MENTS.—During the period beginning on the date of the
13 enactment of this Act and ending on February 29, 2004,
14 for purposes of making any estimate under section
15 9503(d) of the Internal Revenue Code of 1986 of receipts
16 of the Highway Trust Fund, the Secretary of the Treasury
17 shall treat—

18 (1) each expiring provision of section 9503(b)
19 of such Code which is related to appropriations or
20 transfers to such Fund to have been extended
21 through the end of the 24-month period referred to
22 in section 9503(d)(1)(B) of such Code, and

23 (2) with respect to each tax imposed under the
24 sections referred to in section 9503(b)(1) of such
25 Code, the rate of such tax during the 24-month pe-

1 riod referred to in section 9503(d)(1)(B) of such
2 Code to be the same as the rate of such tax as in
3 effect on the date of the enactment of this Act.

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